

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

JAMES K. MACK, SR.,

Petitioner,

vs.

BRUCE STROUD,

Respondents.

2:16-cv-00118-GMN-GWF

**ORDER**

On March 25, 2016, the court entered an order denying petitioner's motion to proceed *in forma pauperis*, but allowing him thirty days within which to pay the \$5.00 filing fee for this habeas corpus action. ECF No. 3. Petitioner has not complied with the court's order within the allotted time, so the court will dismiss this action. Reasonable jurists would not find the court's conclusion to be debatable or wrong, so the court will not issue a certificate of appealability.

**IT IS THEREFORE ORDERED** that this action is dismissed without prejudice for petitioner's failure to comply with the court's order. The Clerk of the Court shall enter judgment accordingly.

**IT IS FURTHER ORDERED** that no certificate of appealability shall issue.

**IT IS FURTHER ORDERED** that the Clerk shall add Adam Paul Laxalt, Attorney General for the State of Nevada, as counsel for respondents.

**IT IS FURTHER ORDERED** that the Clerk shall electronically serve upon respondents a copy of this order. No response is necessary.

1           **IT IS FURTHER ORDERED** that petitioner's motion for appointment of counsel (ECF No.  
2 2) is DENIED as moot.

3           Dated this 5 day of May, 2016.

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6 UNITED STATES DISTRICT JUDGE  
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